



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

## **CRIMINAL & JUVENILE JUSTICE PLANNING ADVISORY COUNCIL MINUTES OF REGULAR MEETING**

**Iowa Department of Public Safety  
Oran Pape Building, Public Conference Room  
215 E. 7<sup>th</sup> Street  
Des Moines, Iowa**

**September 24, 2014**

**Present:** John Spinks, Vice Chair; Mardi Allen; Trisha Barto; Kim Cheeks; DeAnn Decker; Mary Ingham; Mary Kovacevich; Kurt Swaim for Sam Langholz; Amber Markham; Hon. Jeffrey Neary; Lettie Prell; Sherri Soich; Tom Walton; Steve Lukan  
Ex Officio: Rep. Chip Baltimore; Sen. Charles Schneider; Rep. Mary Wolfe\* (\*via phone)

**Staff:** Steve Michael, Interim Administrator; Cheryl Davidson; Terry Hudik; Sarah Johnson; Dave Kuker; Kathy Nesteby; Julie Rinker; Lanette Watson

**Others**

**Present:** Tom Ashworth; Cathy Engle; Joann Finkenbinder; Amanda Frele; Bill Freeland; Beth Lenstra; Marty Ryan

**Absent:** Tom Ferguson; Romonda Belcher; John Hodges; Michelle Leonard; Tony Thompson;  
Ex Officio: Sen. Robert Hogg

### **I. Call to Order, Welcome, and Introductions**

John Spinks, Vice Chair, called the meeting to order at 10:03 a.m. He welcomed those in attendance. Introductions were made.

### **II. Approval of Minutes—May 19, 2014**

Judge Jeffrey Neary moved to approve the minutes from the May meeting, seconded by Mary Ingham. There was no discussion. The motion was unanimously approved.

### **III. Division Update**

Steve Michael announced that he is serving as the Interim CJJP Division Administrator since Paul Stageberg's retirement in June. He provided details about the hiring process and status of openings within the agency.

Michael reported that several grants have been awarded:

- Federal Bureau of Justice Statistics, Statistical Analysis Center (SAC) grant will

cover expenses to upload Uniform Crime Report data from the Department of Public Safety into the Justice Data Warehouse;

- Federal Office of Juvenile Justice & Delinquency Prevention (OJJDP) has awarded \$8,000 for the Prison Rape Elimination Act (PREA), which will provide training for secure juvenile facilities. In addition, the grant will assist the State Training School in the pre-certification process for PREA;
- OJJDP has awarded a Juvenile Re-Entry Planning Grant to identify and develop needed programs. The planning grant also qualifies CJJP to apply next year for an implementation grant.

Michael distributed a handout of priority areas, goals, and objectives developed by the Juvenile Justice Advisory Council at its September Retreat.

#### **IV. Strategic Plan for DMC in the Juvenile Justice System**

Spinks and Dave Kuker provided an overview of the Community And Strategic Plan (CASP)—one-year funding to develop a statewide plan to reduce disproportionate minority contact in the juvenile justice system. The CASP Advisory Committee is chaired by Chief Judge Duane Hoffmeyer, 3<sup>rd</sup> Judicial District, and seated last October. The Advisory Committee includes a wide array of system officials and has the support of State Court Administration.

A subcommittee is developing a strategic plan that incorporates collaboration amongst law enforcement, schools, juvenile court personnel, county attorneys, juvenile judges, and other civic leaders at the community level. Target areas are larger communities with higher minority populations. The plan will include recommendations that law enforcement and schools divert youth away from juvenile court to appropriate programs/alternatives. Recommendations target each area and follow the decision points in the juvenile delinquency process. Juvenile court officers were surveyed to determine the availability of diversion programs, as well as a list of needed services. A dispositional matrix is being developed. The State Court Administrator has agreed to engage metro area judges in local discussions. Kuker referenced successes in Black Hawk County.

A Detention Screening Tool (DST) was piloted, validated and is in the process of becoming an automated application for use statewide. The tool evaluates current and past criminal activity to assess risk to public safety and recommend whether a youth should be sent home, placed in an alternative, or sent to detention. The DST will be housed in the Iowa Courts Information System (ICIS).

[10:22 a.m. – Rep Wolfe joined the meeting via phone]

Kuker reviewed data that show the highest level of overrepresentation is at arrest and for simple misdemeanors (interference and disorderly conduct)—crimes with the highest level of discretion. Classroom removals were primarily for disruptive behavior.

Discussion included concerns about disparate treatment for similar behaviors and that racism may be more rampant in rural areas. Kuker added that once the strategic plan is approved by the full CASP Advisory Committee, it will be shared with the Governor who will be asked to work with the Public Safety Commissioner to seat a group of law

enforcement officials to discuss what can be done at arrest.

## **V. Iowa's Juvenile Justice Reform and Reinvestment Initiative (JJRRI)**

Kathy Nesteby distributed handouts regarding the JJRRI. The three-year demonstration project is being piloted in the 1<sup>st</sup>, 3<sup>rd</sup>, and 6<sup>th</sup> Judicial Districts and evaluates an array of services in those areas, as well as statewide juvenile residential facilities using the 'Standard Program Evaluation Protocol' (SPEP). The research-based SPEP tool utilizes a scoring system to identify areas where adjustments can be made to improve the effectiveness of a service in reducing juvenile recidivism. The project includes technical assistance from three national partners: the Peabody Institute at Vanderbilt University, the Center for Juvenile Justice Reform at Georgetown University, and the Justice Policy Center at the Urban Institute. While the federal funding ends in September 2015, staff are hopeful that funding will be awarded to sustain the reform project and continue quality improvement in juvenile justice.

## **VI. Five-year & Twenty-year Plan Update**

Michael reviewed the number of reports that are required of CJJP by Iowa Code §216A. He hoped to combine them into fewer reports. He asked for guidance regarding issues, priorities, and format for the required twenty-year plan and public comment. He wants a document that would be useful to legislators, the CJJPAC, and CJJP. Handouts included the last two plans. Council members suggested a brief summary page and format, laying out system goals.

After a brief discussion, there was consensus to host a combined web-based and call-in public comment session on October 14, 2014. Based on the requirements in Iowa Code §216A, a list of priority areas would be compiled to assist in categorizing public comments.

[Spinks departed the meeting at 11:11 a.m. and Kurt Swaim assumed the role as chair.]

## **VII. Review of Enacted 2014 Legislation**

## **VIII. Identification of Issues for December, 2014, Report**

The above agenda items were combined into one discussion. Sarah Johnson reviewed enacted legislation and previously studied topics. After a brief discussion, there was consensus on the following:

- The Anderson ruling was remedied through legislation and will no longer be studied.
- Residential treatment backlog – although additional space has opened, study on this area will continue.
- Consensus on tracking of new legislation for:
  - Elder Abuse
  - Coach-student sexual relationships
  - Human trafficking
  - Probation revocations by race and district
- Marijuana – in light of recreational usage laws passed by the states of Colorado and Washington, this subject will be studied as follows: prosecution decisions, usage increase/decrease. Some information may be available through the Iowa Youth

Survey and the Office of Drug Control Policy.

**IX. CJJPAC & PSAB Meeting Schedule**

There was consensus to meet again on November 19 and hold 2015 meetings on May 20 and September 16.

**X. Additional Issues for Next Meeting**

Michael discussed incorporating CJJP reports and the long-range plan for the justice system. Prell noted that, in the past, the annual prison population forecast has served as the correctional policy report although the title did not reflect it. Michael agreed that the title should reflect the same language as the Iowa Code requirement for the respective reports.

**XI. Adjournment**

Judge Neary moved to adjourn, seconded by Kim Cheeks. The meeting adjourned at 11:46 a.m.

Respectfully submitted,

Julie Rinker  
Administrative Secretary  
Div. of Criminal & Juvenile Justice Planning  
Iowa Department of Human Rights